

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

SAFT AMERICA, INC.,)	
)	
Plaintiff,)	
)	Case No. 3:21-cv-35-jdp
v.)	
)	Judge James D. Peterson
PRECISION DRAWN METALS, INC.,)	
)	Magistrate Judge Stephen L. Crocker
Defendant.)	

**AGREED MOTION FOR AN EXTENSION OF TIME TO COMPLETE FACT
DISCOVERY, EXPERT DISCOVERY, AND TO FILE DISPOSITIVE MOTIONS**

Pursuant to Federal Rules of Civil Procedure 6(b)(1)(A), 26, and 29(b), the parties, through their undersigned counsel, hereby respectfully request that the Court enter an order extending the deadlines to complete fact discovery and expert discovery and to file dispositive motions as set forth herein. In support, the parties respectfully state as follows:

1. On April 26, 2021, Judge Crocker entered a Preliminary Pretrial Conference Order in this matter. (Dkt. No. 26.) Pursuant to the Preliminary Pretrial Conference Order, the Court set the following relevant deadlines in this matter:

- November 30, 2021: fact discovery cutoff;
- January 31, 2022: deadline for the proponents to disclose their expert witnesses;
- April 4, 2022: deadline for respondents to disclose their expert witnesses;
- May 31, 2022: deadline for filing dispositive motions; and,
- October 31, 2022: trial.

2. Since the Court entered the Preliminary Pretrial Conference Order, the parties have worked diligently and amicably among one another to complete written fact discovery, to complete document discovery, to resolve disputes relating to written fact discovery and to document discovery, to schedule depositions of personnel of Saft America, Inc. (“Saft”), Precision Drawn Metals, Inc. (“PDM”), and Thomas Steel Strip Corporation (“TSSC”), and to complete those

depositions.

3. As of the filing of this Agreed Motion, written fact discovery and document discovery are largely complete, however, TSSC has advised the parties that due to technical issues and European Union regulatory compliance issues relating to the collection of its responsive documents, TSSC's document production will not be complete until approximately November 5, 2021. The parties cannot proceed with the depositions of TSSC personnel until TSSC's document production is complete and counsel has had an opportunity to review TSSC's complete document production to prepare for depositions.

4. Additionally, due to a deponent becoming ill with COVID-19 and needing time to recover, and due to the existing deposition schedule that is in place and each counsels' schedules in November 2021, multiple depositions have needed to be rescheduled, and the parties will not be able to complete all outstanding fact witness depositions by the existing November 30, 2021 fact discovery cutoff date.

5. Accordingly, the parties respectfully move for a short extension of time of the existing discovery deadlines and dispositive motion date as follows:

- December 31, 2021: fact discovery cutoff;
- March 1, 2022: deadline for the proponents to disclose their expert witnesses
- May 4, 2022: deadline for the respondents to disclose their expert witnesses
- June 30, 2022: deadline for filing dispositive motions.

6. This extension is requested and is necessary to allow the parties sufficient time to complete fact discovery, to disclose any expert witnesses, and to file any dispositive motions. The parties respectfully request that the Court enter an appropriate order extending the discovery and dispositive motion deadlines as set forth in paragraph 5.

7. At this time, the parties do not request that the Court reset any of the deadlines after the dispositive motion deadline, including the pending trial date, which is currently set for October

31, 2022 at 9:00 a.m. (Dkt. No. 26.)

8. In the alternative to paragraph 5, if the Court is not inclined to grant an extension of time beyond the fact discovery cutoff date at this time, the parties hereby respectfully move the Court to extend the fact discovery cutoff date through December 21, 2021 to allow the parties sufficient time to complete fact discovery, including fact witness depositions, in this matter. In the alternative to the request for an extension of time in paragraph 5, the parties respectfully request that the Court enter an appropriate order extending the fact discovery cutoff date through and including December 21, 2021.

9. This extension of time is not requested for the purpose of delay or any other improper purpose.

10. This is the parties' first request for an extension of time of the fact discovery cutoff date, the expert witness disclosure deadlines, and the dispositive motion date.

11. No party has any objection to this request, and all parties consent and agree to the relief that this Agreed Motion seeks.

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[SIGNATURE PAGE FOLLOWS]

Dated: October 22, 2021

SAFT AMERICA, INC.

By: /s/ Jacob B. Berger

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*Attorneys for Defendant/Third-Party Plaintiff
Precision Drawn Metals, Inc. (coverage
issues only)*

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on **October 22, 2021**, I caused the foregoing **AGREED MOTION FOR AN EXTENSION OF TIME TO COMPLETE FACT DISCOVERY, EXPERT DISCOVERY, AND TO FILE DISPOSITIVE MOTIONS** to be electronically filed with the Clerk of the United States District Court for the Western District of Wisconsin. Notice of this filing will be sent to all attorneys of record by operation of the Court's (CM/ECF) electronic filing system.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

By: /s/ Jacob B. Berger